

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PARSE BIOSCIENCES INC.,

Plaintiff,

v.

JAY SHENDURE et al.,

Defendants.

CASE NO. 2:24-mc-00065-LK

ORDER TRANSFERRING
MOTION AND DISCHARGING
ORDER TO SHOW CAUSE

This matter comes before the Court on Plaintiff Parse Biosciences Inc.’s response to the Court’s order to show cause why its motion to compel compliance with attorney-issued subpoenas should not be transferred to the United States District Court for the District of Delaware. Dkt. Nos. 8, 9. For the following reasons, the Court directs the Clerk to transfer Parse Biosciences’ motion to compel to the District of Delaware pursuant to Federal Rule of Civil Procedure 45(f).

I. DISCUSSION

In “exceptional circumstances,” a discovery motion for an order to a nonparty that is filed in a non-issuing court can be transferred to the issuing court, Fed. R. Civ. P. 45(f), including where transfer is “warranted in order to avoid disrupting the issuing court’s management of the


underlying litigation[.]” 2013 Advisory Comm. Cmt. to Fed. R. Civ. P. 45 Amendment; *see also* *P.H. Glatfelter Co. v. Windward Prospects Ltd.*, 847 F.3d 452, 458 (7th Cir. 2017) (“By allowing for transfers, Rule 45(f) allows for consolidation of motions in a single appropriate court, thereby avoiding piecemeal litigation in multiple fora[.]”). Here, in light of the issuing court’s scheduling order and the potential disruption that could result from this Court’s ruling on Parse Biosciences’ motion to compel, the Court ordered Parse Biosciences to show cause why its motion should not be transferred to the issuing court. Dkt. No. 8 at 3–4.

In its response to the Court’s order, Parse Biosciences states that it does not object to the transfer and “shares the Court’s concerns that the resolution of the instant dispute in this venue may disrupt the case schedule in the underlying lawsuit[.]” Dkt. No. 9 at 1. The Court therefore finds that exceptional circumstances warrant transfer of Parse Biosciences’ motion to compel to the District of Delaware for consideration.

II. CONCLUSION

For the foregoing reasons, the Court DISCHARGES its Order to Show Cause, Dkt. No. 8, and DIRECTS the Clerk to TRANSFER Parse Biosciences’ motion to compel, Dkt. No. 1, and the related declarations, Dkt. Nos. 2, 4, 6, reply brief, Dkt. No. 5, and certificate of service, Dkt. No. 7, to the United States District Court for the District of Delaware for resolution in the pending matter of *Scale Biosciences, Inc. v. Parse Biosciences, Inc.*, No. 1:22-cv-01597-CJB. The Clerk is also DIRECTED to close this case.

Dated this 13th day of November, 2024.



Lauren King
United States District Judge